

STATE OF VERMONT  
HUMAN SERVICES BOARD

In re ) Fair Hearing No. 9490  
 )  
Appeal of )

## INTRODUCTION

The petitioner appeals the decision by the Department of Social Welfare not allowing as "excluded income" for food stamp purposes money received by the petitioner that is set aside for a "self-support plan" devised pursuant to provisions governing the federal Supplemental Security Income (SSI) program. The issue is whether this income should be considered a "reimbursement" to the petitioner--and, thus, excluded income--pursuant to the pertinent food stamp regulations.

## FINDINGS OF FACT

The parties have stipulated to the following facts:

[Petitioner] is disabled. She receives \$461.00 per month in Social Security disability benefits plus \$262.35 per month in Supplemental Security Income. She deposits \$262.35 every month in accordance with a Plan for Achieving Self Support (PASS Plan) approved by the Social Security Administration. The PASS Plan money is spent on transportation costs so that [petitioner] can attend her work training program.

The parties further stipulate that the pertinent facts and legal issues in the matter are indistinguishable from the Board's decision in Fair Hearing No. 8989, decided on September 22, 1989.

Copies of the petitioner's PASS Plan and related

documents are attached to this Order.

Also attached, and incorporated by reference herein, are copies of the board's decision in Fair Hearing No. 8989 and the SSI PASS regulations--20 C.F.R. §§ 416.1180 - 1182.

ORDER

For the reasons set forth in Fair Hearing No. 8989, the department's decision is reversed.

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